the federal courts, in seeming disregard of this policy, have held contingent claims never provable. *In re Levy*, 208 Fed. 479. Other decisions find warrant in the general spirit of the act for allowing contingent claims to be proved. *In Re Caloris Mfg. Co.*, 179 Fed. 722. *Cf. In re Scott Transfer Co.*, 216 Fed. 308; see 27 HARV. L. REV. 469. As yet, the Supreme Court has not been forced to decide the question, for in the only case involving the problem the claim was deemed incapable of liquidation. *Dunbar* v. *Dunbar*, 190 U. S. 340. In the principal case, the court holds that § 57 *i*, which allows the surety to prove in the creditor's name if the latter is remiss, amply protects the surety and justifies holding his claim discharged. This settles the matter satisfactorily as far as sureties are concerned, but unfortunately leaves the general question undecided, with no intimation, however, that in a proper case a contingent claim would be held not provable.

BANKRUPTCY — DISSOLUTION OF LIENS — LIEN ACQUIRED WITHIN FOUR MONTHS ON PROPERTY FRAUDULENTLY CONVEYED. — An insolvent made a conveyance which, under the state law, was fraudulent only as to existing creditors. Two years later these creditors brought suit to set the conveyance aside and attached the property. Within four months of this attachment the insolvent was petitioned into bankruptcy, and the attachment lien was preserved for the benefit of the estate under § 67 *f* of the Bankruptcy Act, which voids all liens obtained through legal proceedings within four months of the petition unless the court orders the lien preserved for the benefit of the estate. The property sold for less than the debts of the attaching creditors and they now claim the whole proceeds. *Held*, that the proceeds will be distributed among all the creditors of the estate. *Globe Bank & Trust Co. of Paducah, Ky.* v. *Martin*, 236 U. S. 288.

Under § 70 *e* of the Bankruptcy Act, the trustee can set aside a fraudulent conveyance which any creditor could set aside, even though no creditor has acted and the four months' period has elapsed. *Thomas* v. *Roddy*, 122 N. Y. App. Div. 851, 107 N. Y. Supp. 473. If the creditors have taken action in the state court and then bankruptcy intervenes within four months of their attachment of the property, their lien will be avoided under § 67 *f* unless ordered preserved for the benefit of the estate. *Clarke* v. *Larremore*, 188 U. S. 486. If preserved, it becomes a part of the bankrupt's estate, and, although under the state law the existing creditors alone could have profited by setting aside the conveyance, all creditors must now share alike. *First National Bank* v. *Staake*, 202 U. S. 141. Nor can these creditors claim that their position in the state court created a priority granted by the state law and retained for them by § 64 *b* (5), for that section contemplates priorities of an entirely different nature, depending upon the furnishing of labor or materials and the like. See *In re Laird*, 109 Fed. 550; *In re Bennett*, 153 Fed. 673. Whether such an attachment levied after four months on property fraudulently conveyed would itself constitute an act of bankruptcy under § 3 *a* (3), as a preference suffered or permitted through legal proceedings, was not here before the court. Such would seem to be the result, however, if the property for this purpose can be considered as belonging to the bankrupt, and a creditor would then be able to derive no benefit whatever from his individual diligence in attaching the property at a time when the fraudulent conveyance itself has ceased to be available as an act of bankruptcy. See *Wilson* v. *Nelson*, 183 U. S. 191, 198.

CONSTITUTIONAL LAW — IMPAIRMENT OF THE OBLIGATION OF CONTRACTS — RIGHTS OF LESSEE OF PROPERTY EXEMPTED FROM TAXATION BY LEGISLATIVE CONTRACT. — The charters of two railroads exempted them from taxation beyond one-half of one per cent of their annual incomes and authorized leases of the franchises. In pursuance of this authority and of a subsequent

act sanctioning the specific transaction, the railroads were leased to the plaintiff corporation with an option of perpetual renewal. The leased roads were then taxed to the plaintiff, the lessee, as owner of the fee, at more than one-half of one per cent on their incomes. *Held*, that the tax will be enjoined as an impairment of the obligation of the contract to exempt. *Wright* v. *Central of Georgia Ry. Co.*, U. S. Sup. Ct. Off., No. 161 (March 22, 1915).

Alleged contracts of a state legislature exempting property from taxation are viewed with hostility by the courts, and will not be protected under the contract clause of the Constitution unless a legal obligation is conclusively established. *Christ Church* v. *Philadelphia*, 24 How. (U. S.) 300. The charters in the principal case meet this test and in fact had already been interpreted to constitute a binding contract with the lessor railroads. *Wright* v. *Georgia R. & B. Co.*, 216 U. S. 420. But the hostility of the law toward limitations of this kind is so great that the exemption, even when established, does not follow the property into the hands of transferees of the contracting party unless the legislature clearly so intended. *Rochester Ry. Co.* v. *Rochester*, 205 U. S. 236; *Getton* v. *University of the South*, 208 U. S. 489. The principal case finds that such an intent is evidenced by the cumulative force of the peculiar facts surrounding this particular lease. It expressly negatives the implication that the fee would be exempt into whosesoever hands it might come, or that an interest less than the fee could not be taxed. The question is one of degree, which must be determined by the process of judicial inclusion and exclusion, and the principal case is significant only as establishing a datum in that process.

CONSTITUTIONAL LAW — PERSONAL RIGHTS: CIVIL, POLITICAL, AND RELIGIOUS — LIBERTY TO CONTRACT: REGULATION OF HOURS OF LABOR. — A California statute forbade the employment of any woman in certain industrial and mercantile occupations for a longer period than eight hours in one day or forty-eight hours in one week. CAL. STAT., 1911, p. 437. A hotel proprietor was arrested for violating the statute by allowing a chambermaid in his employ to work nine hours in one day. He now attacks the validity of the statute by *habeas corpus* proceedings. *Held*, that the statute is constitutional. *Miller* v. *Wilson*, 236 U. S. 373.

This same statute was later so amended as to apply to women employed in hospitals, with the exception of graduate nurses. CAL. STAT., 1913, p. 713. A woman pharmacist employed in a hospital seeks to restrain its enforcement on the ground that it violates the Fourteenth Amendment. *Held*, that the statute is constitutional. *Bosley* v. *McLaughlin*, 236 U. S. 385.

These decisions establish the power of legislatures to shorten the hours of women's labor to a greater extent than some authorities had considered allowable. See *Ritchie* v. *People*, 155 Ill. 98, 40 N. E. 454; FREUND, POLICE POWER, § 314. It has, however, become clearly established that a ten-hour day for women may be prescribed by statute. *Riley* v. *Massachusetts*, 232 U. S. 671; *Muller* v. *Oregon*, 208 U. S. 412; *People* v. *Elerding*, 254 Ill. 579, 98 N. E. 982; *Commonwealth* v. *Hamilton Mfg. Co.*, 120 Mass. 383; *Wenham* v. *State*, 65 Neb. 394, 91 N. W. 421; *State* v. *Buchanan*, 29 Wash. 602, 70 Pac. 52. This slight additional restriction, in view of the conditions of modern industrial life, cannot be deemed so unreasonable as to exceed the police power of the state. *State* v. *Somerville*, 67 Wash. 638, 122 Pac. 324. *Earnshaw* v. *Newman*, 47 Chi. Leg. News, 281 (Sup. Ct., D. C.). For a discussion of the constitutional principles involved, see 21 HARV. L. REV. 495. The second case illustrates the somewhat unequal results of the necessarily imperfect fashion in which classes of occupations and employees must be defined by legislatures. Such legislative classifications, however far from perfect, will be upheld by the courts to the verge of caprice. See *Jeffrey Mfg. Co.* v. *Blagg*, 235 U. S. 571; *Lindsley* v. *Natural Carbonic Gas Co.*, 220 U. S. 61, 78. But in legislation of this charac-